

IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, OHIO

**JORDAN AMLIN NKA JORDAN
HAMMOND**
841 Lynnhaven Court
Columbus, OH 43228

Plaintiff,

-vs-

KULDEEP SINGH
15489 Awaken Drive
Fishers, IN 46037

and

BSR XPRESS LLC
c/o Bhajneek S. Rangi, Statutory Agent
10331 Camby Crossing
Fishers, IN 46038

Defendants.

Case No.:

Judge

COMPLAINT

Trial Counsel:

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Counsel for Plaintiff

COUNT I

Now comes the Plaintiff, Jordan Amlin, now known as, Jordan Hammond, by and through her counsel, and for her Complaint alleges and avers as follows:

COMMON ALLEGATIONS

- 1) That Plaintiff is a resident of Columbus, Franklin County, Ohio.
- 2) That Defendant Kuldeep Singh is a resident of Fishers, Hamilton County, Indiana.
- 3) That Defendant BSR Xpress LLC is an Indiana limited liability company with a principal place of business located in Hamilton County, Indiana.

- 4) That based upon information and belief, at all times pertinent, Defendant BSR Xpress LLC was the registered owner of a 2011 Volvo semi-tractor trailer bearing Vehicle Identification No. 4V4NC9EJ3B530038 with US DOT No. 2784008 affixed to the vehicle.
- 5) That based upon information and belief, at all times pertinent, Defendant's semi tractor-trailer was being operated by its employee/agent/servant, Kuldeep Singh.
- 6) That on or about August 3, 2019, Defendant's semi-tractor trailer collided with Plaintiff's vehicle on IR 70 eastbound in Butler Township, Montgomery County, Ohio.

COUNT I
NEGLIGENCE OF DRIVER/VICARIOUS LIABILITY

- 7) That Plaintiff incorporates the statements, claims and allegations of the preceding paragraphs as if the same were fully rewritten herein.
- 8) That the truck driver, Kuldeep Singh, violated § 4511.22 of the Ohio Revised Code by impeding or blocking the normal and reasonable movement of traffic.
- 9) That the truck driver, Kuldeep Singh, failed in the above-mentioned duties, among other things, and was therefore negligent in his operation of the semi-tractor trailer.
- 10) That the aforementioned vehicular collision of August 3, 2019, was due, directly and proximately, to the negligent operation of the BSR Xpress semi-tractor trailer by its driver, Kuldeep Singh.
- 11) That as a direct and proximate result of the aforementioned vehicular collision of August 3, 2019, and the aforementioned negligence of Defendants, Plaintiff sustained injuries to her nose, head, neck and back; that in the care and treatment of her injuries she was required to submit to numerous and extensive medical and medicinal treatments, including surgery; that she will be required to undergo medical and medicinal treatment in the future; that she has incurred reasonable and necessary medical expenses to date in an amount which is currently unknown and cannot be reasonably ascertained at this time despite due diligence; that she will incur reasonable and necessary medical expenses in the future in an amount which is presently unknown and

cannot be reasonably ascertained despite due diligence; that she sustained a past wage loss in an amount which is presently unknown and cannot be reasonably ascertained despite due diligence; that she will sustain a wage loss into the future in an amount which is presently unknown and cannot be reasonably determined at this time despite due diligence; that her injuries are permanent and partially disabling; and that she continues to suffer from pain, emotional distress, and loss of enjoyment of life, with all the foregoing to her damage.

12) Based upon information and belief, at all times relevant, Defendant Kuldeep Singh was the employee, agent, servant or independent contractor for Defendant BSR Xpress LLC, and was acting within the course and scope of his employment and in furtherance of Defendant's interests.

13) Based upon information and belief, Defendant Kuldeep Singh had the permission and consent of Defendant BSR Xpress LLC to operate the semi-tractor trailer.

14) That Defendant BSR Xpress LLC is vicariously liable for the acts and omissions of its employee/agent/servant, Defendant Kuldeep Singh, including the acts and/or omissions that proximately resulted in the aforementioned vehicular collision of August 3, 2019.

15) That as a direct and proximate result of the negligence of the truck driver on August 3, 2019, and the resulting vehicular collision, Plaintiff sustained the injuries and damages as set forth above.

COUNT II
STRICT LIABILITY OF BSR XPRESS LLC

16) That Plaintiff incorporates the statements, claims and allegations of the preceding paragraphs as if the same were fully rewritten herein.

17) Regardless of the employment and/or agency relationship, Defendant BSR Xpress LLC is the registered owner of US DOT No. 2784008 displayed on the semi-tractor trailer involved in the aforementioned vehicular collision of August 3, 2019. Accordingly, Defendant BSR Xpress LLC is strictly liable for the acts and/or omissions of the driver of that vehicle.

18) That as a direct and proximate result of the negligence of the truck driver on August 3, 2019, and the resulting vehicular collision, Plaintiff sustained the injuries and damages as set forth above.

COUNT III
NEGLIGENT ENTRUSTMENT OF SEMI-TRACTOR TRAILER

19) That Plaintiff incorporates the statements, claims and allegations of the preceding paragraphs as if the same were fully rewritten herein.

20) That Defendant BSR Xpress LLC was the registered owner of the aforementioned semi-tractor trailer being operated by Defendant Kuldeep Singh on August 3, 2019.

21) That based upon information and belief, Defendant BSR Xpress LLC negligently entrusted its semi-tractor trailer to Defendant Kuldeep Singh with actual and/or constructive knowledge that he was not fit or qualified to operate the vehicle.

22) That as a direct and proximate result of Defendant's negligent entrustment and the resulting vehicular collision on August 3, 2019, Plaintiff sustained the injuries and damages as set forth above.

COUNT IV
NEGLIGENT HIRING/TRAINING/RETENTION

23) That Plaintiff incorporates the statements, claims and allegations of the preceding paragraphs as if the same were fully rewritten herein.

24) That Defendant BSR Xpress LLC had a duty to act reasonably in hiring, training and retaining its drivers, including Kuldeep Singh, and to promulgate and enforce rules and regulations to ensure its drivers and vehicle were reasonably safe.

25) That Defendant BSR Xpress LLC failed with respect to the above-mentioned duties and is therefore negligent.

26) That as a direct and proximate result of Defendant's negligence and the resulting collision of August 3, 2019, Plaintiff sustained the injuries and damages as set forth above.

WHEREFORE, Plaintiff, Jordan Amlin NKA Jordan Hammond, prays for a monetary judgment against the Defendants, jointly and severally, in a sum in excess of Twenty-Five Thousand Dollars (\$25,000.00) on each and every count of her Complaint, interest at the maximum rate provided by law from the date her cause of action accrued, her costs of court expended herein, and any and all other relief this Court deems just and proper.

Respectfully submitted,

LAFFERTY, GALLAGHER & SCOTT, LLC

By

Joseph S. Hartle
Attorney for Plaintiff